

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MEIKO BUCHANAN,

Plaintiff,

v.

ANTHONY WILLS, *et al.*,

Defendants.

Case No. 23-cv-512-NJR

MEMORANDUM AND ORDER

ROSENSTENGEL, Chief Judge:

This matter is before the Court for case management purposes. On February 21, 2023, the Court screened Plaintiff Meiko Buchanan's Complaint (Doc. 1) and allowed three counts to proceed (Doc. 8). Defendant Anthony Wills was added to the case, in his official capacity only, for purposes of implementing any injunctive relief awarded (*Id.* at p. 5). On February 21, 2023, a waiver of service was sent to Wills. It was returned as executed; his Answer was due April 24, 2023 (Doc. 12). As of this date, Wills has not filed an Answer.

The Federal Rules of Civil Procedure provide that the Clerk of Court must enter default against a defendant who has failed to plead or otherwise defend. Fed. R. Civ. P. 55(a). Accordingly, the Court **ORDERS** as follows:

- (1) The Clerk of Court is **DIRECTED** to **ENTER DEFAULT** against Defendant Anthony Wills in accordance with Federal Rule of Civil Procedure 55(a).
- (2) Buchanan is **ORDERED** to move for default judgment against Defendant Wills on or before **May 23, 2023**, in accordance with Federal Rule of Civil Procedure 55(b).

- (3) If Buchanan fails to move for default judgment as set forth in this Order, this entire action will be dismissed as to Defendant Wills for failure to prosecute and/or failure to comply with an order of the Court.
- (4) The Clerk of Court is **DIRECTED** to transmit a copy of this Order and the entry of default to Buchanan and to Defendant Wills.

IT IS SO ORDERED.

DATED: May 2, 2023

s/ Nancy J. Rosenstengel
NANCY J. ROSENSTENGEL
Chief U.S. District Judge